

## **REMARKS**

In the final Office Action mailed March 6, 2008, the Examiner rejected claims 1-4 and 28 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,620,194 to Ding et al. ("Ding") in view of U.S. 6,258,121 to Yang et al. ("Yang"); allowed claims 9-21; and indicated that claims 5-7 and 22-27 include subject matter that would be allowable if rewritten in independent form. Applicants disagree with the propriety of the claim rejections, however, in order to expedite prosecution, Applicants present the above amendments, without prejudice or disclaimer, with the understanding that the rejected claims may be pursued in a forthcoming continuation application.

Thus, by this Amendment After Final, Applicants have amended claim 1 to include the recitations of dependent claim 5. Claim 5 has been cancelled, with claims 6, 7, 22, 23, and 27 being amended to maintain proper claim dependencies.

In the outstanding final Office Action, the Examiner provided a statement of reasons for the indication of allowable subject matter and a statement of reasons for allowance. Applicants do not necessarily agree with the Examiner's reasons why the claims patentably distinguish from the prior art. For example, Applicants do not necessarily agree with the Examiner's apparent assertion that the listed features are the only reason the claims are allowable over the prior art. Instead, Applicants submit that claims 1-4, 6, 7, and 9-28 are patentably distinguishable from the prior art at least because the prior art, either alone or in combination, fails to teach or suggest the recitations therein.

The Examiner's statement of reasons for the indication of allowable subject matter and statement of reasons for allowance might be construed to contain

characterizations of the claims and the prior art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Examiner's statement of reasons for the indication of allowable subject matter and statement of reasons of allowance.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-4, 6, 7, and 9-28 in condition for allowance. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final Office Action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance. Finally, Applicants submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.


In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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By:   
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